

FEB 05 2004

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101 Federal Street
Boston, MA 02110

Telephone 617-428-0200
Facsimile 617-428-7045
617-428-7046

Clark & Elbing LLP

Date: February 5, 2004

To: Examiner Cybille Delacroix-Muirheid
Art Unit 1614
U.S. Patent & Trademark Office

Facsimile No: 1-703-872-9306

From: Kristina Beiker-Brady, Ph.D., P.C.
Reg. No. 39, 109

Re: Thatcher et al.
09/473,713
METHODS AND COMPOSITIONS FOR MITIGATING PAIN
Attorney Docket No.: 50299/003001
Customer No.: 21559

Pages: 6, Including Fax Cover Sheet

Message: Attachments:

Reply to Notice Regarding Power of Attorney	2 pages
Copy of Letter from Parteq Innovations	3 pages

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PATENT
ATTORNEY DOCKET NO. 50299/003001Certificate of Transmission by Facsimile: Date of Transmission: February 5, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to the Examiner listed below, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 05 2004

Applicant: Thatcher et al.

Art Unit: 1614

Serial No.: 09/473,713

Examiner: Delacroix-Muirheid, C.

Filed: December 29, 1999

Customer No.: 21559

Title: METHODS AND COMPOSITIONS FOR MITIGATING PAIN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450REPLY TO NOTICE REGARDING POWER OF ATTORNEY

In reply to the Notice Regarding Power of Attorney that was mailed in connection with the above-captioned patent application on January 2, 2004, Applicants submit the following Remarks.

The Power of Attorney submitted on September 8, 2003 should be accepted, as this statement was submitted according to 37 CFR 1.34(b), which reads as follows:

(b) When an attorney or agent shall have filed his or her power of attorney, or authorization, duly executed by the person or persons entitled to prosecute an application or a patent involved in a reexamination proceeding, he or she is a principal attorney of record in the case. A principal attorney or agent, so appointed, may appoint an associate attorney or agent who shall also then be of record.

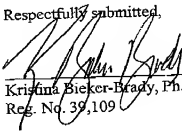
In addition, Applicants respectfully request that, effective immediately, all communication in this case be addressed to:

Kristina Bieker-Brady, Ph.D., P.C.
Clark & Elbing LLP
101 Federal Street
Boston, MA 02110

Date:

February 5, 2004

Respectfully submitted,



Kristina Bieker-Brady, Ph.D., P.C.
Reg. No. 39,109

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

02/03/2004 TUE 10:28 FAX 533 6853 Partec Innovations



STEPHEN J. SCRIBNER, PhD

Patent Agent

Phone Direct: 613-533-6000 ext 77483

sscribner@partecinnoventions.com

Please deliver the following fax to:

Name: Dr. Daniel A. Pearson

Company: Clark & Elbing LLP

City: Boston, MA

Fax Number: 617-428-7045

Telephone Number:

Date: 3 February 2004

We are transmitting 3 pages (including this cover sheet). If you do not receive all pages, please call back as soon as possible.

Stephen J. Scribner, Ph.D.

COPY

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PARTEC Innovations, Queen's University, Kingston, Ontario, Canada K7L 3N6 p: 613.533.2342 f: 613.533.6853 w: www.partecinnoventions.com

02/03/2004 TUE 10:28 FAX 533 8853 Parteq Innovations



STEPHEN J. SCRIBNER, PhD
Patent Agent
Phone Direct: (613) 533-6000 Ext 77483
sscribner@parteqinnovations.com

3 February 2004

VIA FACSIMILE & MAIL

Dr. Daniel A. Pearson
Clark & Elbing LLP
101 Federal Street
Boston, MA
U.S.A. 02110-2106

Dear Dan,

RE: United States Patent Application Serial No. 09/473,713
Filed: 29 December 1999
Title: Methods and Compositions for Mitigating Pain
Your Ref. No. 50299/003001
Our Ref. No. 1999-028-01US

Further to our recent telephone discussion, I enclose for your records a copy of the Notice Regarding Power of Attorney recently received from the U.S. Patent and Trademark Office in respect of the above-captioned patent application.

As you can see, the USPTO believes that the previously-filed Power of Attorney was incomplete because it was not signed by three of the inventors. However, you filed an associate Power of Attorney, signed by me, and appointing the agents/attorneys at Clark & Elbing, which did not require signing by the inventors.

Please file an appropriate Response to the Notice, and do not hesitate to contact me should you wish to discuss this matter.

Thank you for your assistance.

Yours very truly,

Steve

Stephen J. Scribner

encl.
c. K. Becker-Brady

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PARTEQ Innovations, Queen's University Kingston, Ontario, Canada K7L 3N6 p: 613.533.2342 f: 613.533.6853 w: www.parteqinnovations.com



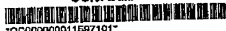
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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: Washington, DC 20590-0001
P.O. Box 1450
Alexandria, Virginia 22303-3450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (S) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO. / TITLE
09/473,713	12/29/1999	GREGORY R.I. THATCHER	1995-033-12U

STEPHEN J. SCRIBNER
PARTEQ INNOVATIONS
QUEEN'S UNIVERSITY
KINGSTON, K7L3N6
CANADA

CONFIRMATION NO. 1352



0000000011567101

Date Mailed: 01/02/2004

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/08/2003. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The signature(s) of Bennett, Brian M., Reynolds, James N., Jhamandas, Khern, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.

Brenda L Gray
BRENDA L GRAY
1600 (571) 272-0528

FORMER ATTORNEY/AGENT COPY

